

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JAMES JEMISON, JR.,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 2:08cv714-WHA
)	(WO)
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

O R D E R

The petitioner has filed a motion requesting that this court stay the proceedings on his motion filed pursuant to 28 U.S.C. § 2255 pending a determination of his motion for a reduction of sentence under 18 U.S.C. § 3582(c)(2) based on the amended crack cocaine sentencing guidelines. (Doc. No. 20.) The government has indicated that it does not oppose the petitioner's motion to stay the proceedings on his § 2255 motion. (Doc. No. 21.)

Accordingly, and for good cause, it is ORDERED as follows:

1. The petitioner's motion to stay the proceedings on his § 2255 motion (Doc. No. 20) is GRANTED and this court's determination of the issues presented in the § 2255 motion is held in abeyance.

2. The government shall file with this court a report on the status of the petitioner's criminal case and his motion for reduction of sentence under 18 U.S.C. § 3582(c)(2),

beginning February 2, 2009, and every 30 days thereafter.

Done this 22nd day of January, 2009.

/s/Charles S. Coody
CHARLES S. COODY
UNITED STATES MAGISTRATE JUDGE